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#### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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MARY E. ON

KIM SMITH,

Plaintiff,

Civil No. 1:01-0817

(Judge William W. Caldwell)

v.

(Magistrate Judge Malachy E. Mannion)

JAMES MORGAN, et al.,

JURY TRIAL DEMANDED

Defendants.

### CORRECTIONS DEFENDANTS' MOTION TO EXCEED PAGE LIMIT

The Corrections Defendants, by and through their attorney, John J. Talaber, Assistant Counsel for the Pennsylvania Department of Corrections, hereby move this Court, pursuant to Local Rule 7.8(b) of the United States District Court for the Middle District of Pennsylvania, for leave to exceed the fifteen (15) page limit for their *Brief in Support of the Motion for Summary Judgment* to amount not greater than twenty five (25) pages.

WHEREFORE, the Corrections Defendants respectfully request the Court to allow them to file a *Brief in Support of their Motion for Consolidation* of twenty (25) pages or less, not including the Table of Contents and the Table of Citations.

Respectfully submitted, Office of General Counsel

BY:

Dated: January 6, 2003

John J. Talaber
Assistant Counsel

Pa. Department of Corrections

55 Utley Drive

Camp Hill, PA 17011

(717) 731-0444

Attorney No. 83279

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#### **CERTIFICATE OF SERVICE**

I undersigned hereby certify that a copy of the Corrections Defendants'

Motion to Exceed Page Limit in this matter was served upon the person(s) in the manner indicated below.

# Service by first-class mail addressed as follows:

Kim Smith, CT-2162 SCI-Coal Township 1 Kelley Drive Coal Township, PA 17866-1020 James D. Young, Esquire

Lavery, Faherty, Young and Patterson, P.C.

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Marilyn Jones Clerk Typist II

PA Department of Corrections 55 Utley Drive Camp Hill, PA 17011 (717) 731-0444 Dated: January 6, 2003